Claims 1-2, 4-5, and 7 are pending in the application; reexamination and reconsideration are hereby requested.

1. Claims 7-8 were objected to as informal; the Examiner suggested "performing" in place of "operable to provide".

Claim 7: Base claim 7 has been amended to include the limitations of claim 8 and claim 7 has been amended as suggested.

2. Claims 1 and 3 were rejected as anticipated by Schuster.

Claim 1: Base claim 1 has been amended to include the limitations of claim 3 and now requires expansion of active frames and truncation of silence frames. In contrast, Schuster requires both lengthening and shortening using silence frames: cited col.15, ln.66 to col.16, ln.2 plus FIG.9, left portion for lengthening and col.16, ln.8-11 plus FIG.9, right portion for shortening. Consequently, Schuster does not suggest the amended claim 1 expansion and truncation.

3. Claim 2 was rejected as unpatentable over Schuster in view of Murgia.

Claim 2: Murgia col.16, ln.60-66 refers to truncating bits from a codebook index to reduce bit rate, not truncating the excitation as required by claim 2; see Murgia col.10, ln.36-51. Consequently, the references do not suggest claim 2.

4. Claims 4-5 and 7-8 were rejected as unpatentable over Schuster in view of Chen. The Examiner cited

Claim 4: Base claim 4 has been amended to include the limitations of claim 6 and requires classification and separate expansion according to voicing. In contrast, Schuster provides lengthening by addition of silence frames, Chen extends a waveform by pitch periods regardless of any frame classification, and Ananthapadmanabhan relates to encoding, not decoding. Consequently, the references do not suggest amended claim 4.

Claim 7: Base claim 7 has been amended to include the limitations of claim 8 and requires expansion of active frames and truncation of silence frames. In contrast, Schuster requires both lengthening and shortening using silence frames: cited col.15, ln.66 to col.16, ln.2 plus FIG.9, left portion for lengthening and col.16, ln.8-11 plus FIG.9, right portion for shortening. Chen col.19, ln.6-8 has pitch period copying to fill in for lost frames; however, Schuster already has lost frame lengthening by silence frame additions which is simpler than anayzing for pitch period and copying as in Chen. Consequently, Schuster plus Chen do not suggest the amended claim 7 expansion and truncation.

5. Claim 6 was rejected as unpatentable over Schuster in view of Chen and Ananthapadmanabhan.

Claim 6: see amended claim 4 argument.

Respectfully submitted,

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